THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5235 of 2007

Dated:05.04.2007

Between:

Jaffar Bin Ahmed Barzeeq.

... Petitioner

AND

Deputy Collector-cum-Mandal Revenue Officer.

... Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5235 of 2007

ORDER:

The petitioner herein obtained Occupancy Rights Certificate (ORC) under the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955, in respect of the land admeasuring Acs.11.20 guntas in Survey No.302 and Acs.6.20 guntas in Survey No.303 situated at Mamidepalle Village. After getting ORC vide proceedings of the Revenue Divisional Officer, Hyderabad, bearing No.H/5391/1984, dated 11.05.1984, the petitioner approached the respondent for mutation in the revenue records. Mutation was granted in his favour in 1984 itself. In 1997, the petitioner wanted to sell the land for his necessities, and accordingly, sold Acs.11.08 guntas to M/s.Magic sights. He still allegedly continued in possession of the land admeasuring Acs.6.32 guntas in Survey Nos.302 and 303. He alleges that on 02.06.2006 he came to know that Mrs.Najma Azam fenced the land to an extent of Acs.5.00. The petitioner then approached the respondent and made a representation on 22.07.2006 for implementing the ORC dated 11.05.1984. The respondent allegedly issued proceedings dated 11.12.2006 confirming that the applicant still holds the land admeasuring Ac.1.32 guntas in Survey Nos.302 and 303. However, pattadar pass books and title deeds were not issued. Therefore, he filed the present Writ Petition.

This Court has heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-T),

and has also perused the proceedings of the respondent bearing No.B/5503/2006, dated 11.12.2006. The said order was passed after considering the representation of the petitioner, dated 22.07.2006, to the effect that the petitioner was found to be in possession of land admeasuring Ac.1.32 guntas. Therefore, the request of the petitioner may be considered for grant of pattadar pass books and title deeds. If for any reason, the pattadar pass books and title deeds cannot be issued, the respondent may pass necessary orders and communicate the same to the petitioner. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. This Court makes it clear that as the petitioner has already filed a suit against Mrs.Najma Azam and others for cancellation of gift deed and sale deeds, this order shall not in any manner affect the rights of the parties in the said suit.

The Writ Petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

05.04.2007
vs